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PATENT
Docket No. 377882001720

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gary VAN NEST et al.

Serial No.: 09/927,884

Filing Date: August 10, 2001

For: IMMUNOMODULATORY
FORMULATIONS AND METHODS
FOR USE THEREOF

Examiner: To Be Assigned

Group Art Unit: 1645

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents numbered 18-21, 42, 43, 46-51, 96 and 170 are submitted herewith. Copies of the documents numbered 1-17, 22-41, 44, 45, 52-95, 97-169 and 171-189 were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/802,376, filed March 9, 2001, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The

Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

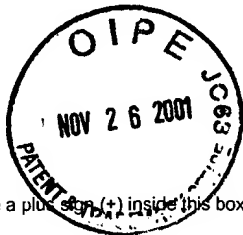
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Dated: November 13, 2001

Respectfully submitted,

By: Karen R. Zachow
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Application Number

09/927,884

Filing Date

August 10, 2001

First Named Inventor

Gary VAN NEST

Group Art Unit

1645

Examiner Name

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Attorney Docket No.

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or

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Karen R. Zachow, Reg. No. 46,332

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Karen R. Zachow

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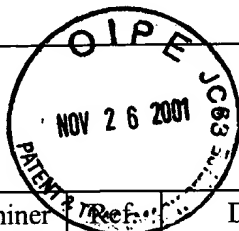
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Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date if Appropriate
	1.	07/03/1984	4,458,006	Döenges et al.			
	2.	03/17/1987	4,650,675	Borel et al.			
	3.	07/18/1989	4,849,513	Smith et al.			
	4.	03/20/1990	4,910,300	Urdea et al.			
	5.	08/14/1990	4,948,882	Ruth			
	6.	05/14/1991	5,015,733	Smith et al.			
	7.	03/03/1992	5,093,232	Urdea et al.			
	8.	06/02/1992	5,118,800	Smith et al.			
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	21.	05/29/2001	6,239,116 B1	Krieg et al.			

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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	22.	01/29/1992	0 468 520 A2, A3	Europe			

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67. Broide et al. (1999). "DNA-based immunization for asthma," *Int. Arch. Allergy Immunol.* 118:453-456.
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		Filing Date: August 10, 2001	Group Art Unit 1645
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	96.	Kandimalla, E.R. et al., (2001) "Effect of chemical modifications of cytosine and guanine in a CpG-motif of oligonucleotides: structure-immunostimulatory activity relationships" <i>Bioorg. Med. Chem.</i> 9:807-813.	
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	111.	Krieg et al., (1998) "The role of CpG dinucleotides in DNA vaccines" <i>Trends Microbiol.</i> 6:23-27	
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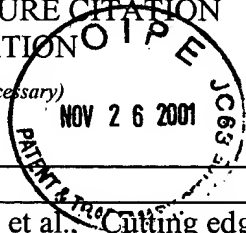
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